

BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD

MINUTES

FEBRUARY 28, 2022

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Mr. Richardson called the meeting to order at 8:02 a.m. through virtual video and audio conferencing and declared a quorum.

Board Members Present:

Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC, Board Chair
Stephan Viehweg, MSW, LCSW
Kelley Gardner, LMFT (out at 11:00 a.m.)
Jon Ferguson, LMFT
C. Martin Justice, LMHC
Dr. Dianna Cooper-Bolinsky, LCAC (in at 9:15 a.m.)
Elizabeth Cunningham, D.O., Psychiatric Physician Member

Board Members Not Present:

Jacqueline Eitel, RN, Consumer Member
Andrew Harner, MSW, LCSW, Board Chair, SW Section Chair, Board Designee

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Dana Brooks, Assistant Board Director, Professional Licensing Agency
Adam Harvey, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda as amended.

Cooper-Bolinsky/Gardner
Motion carried 7-0-0

III. APPROVAL OF MINUTES

There were no minutes for review

IV. PERSONAL APPEARANCES

A. Probation

There were no probation appearances.

B. Renewal

1. **Megan Oed, LMFTA, License No. 85000261A**

Ms. Oed appeared as requested to discuss the renewal of her associate license. Per IC 25-23.6-8-8.5 her associate license can only be renewed twice. As Ms. Oed has already renewed her associate license twice, she is requesting the Board allow her to renew one more cycle. Ms. Oed stated that she was delayed in obtaining her hours as she had two children, the pandemic occurred, and then she was struggling with medical issues. She stated that she is currently missing 390 clinical contact hours, and 39.5 hours of supervision. She affirmed that she has maintained the required continuing education needed to renew her license.

Board Action: A motion was made and seconded to grant Ms. Oed’s request and allow her marriage and family therapy associate license for an additional renewal cycle.

Gardner/ Ferguson
Motion carried 7-0-0

2. **Steven Sanders, LCSW, License No. 34008205A**

Mr. Sanders appeared as requested to discuss his yes response to the renewal question “Since you last renewed, and except for minor violations of traffic laws resulting in fines and arrests or convictions that have been expunged by a court, have you been arrested, entered into a diversion agreement, been convicted of, pled guilty to, or pled nolo contendere to any offense, misdemeanor, or felony in any state or U.S. territory?” Mr. Sanders submitted a statement and supporting documents for his OWI that occurred in November of 2021. On December 8, 2021, he pled guilty to Operating a Vehicle While Intoxicated Endangering a Person. The courts sentenced him to complete a year of probation, a substance abuse evaluation, and a victim impact panel. Mr. Sanders stated that he sought outside counseling of his own volition. He stated that his employer is aware of what occurred, and his probation will be complete in December of 2022.

Board Action: A motion was made and seconded to renew Mr. Sanders’ license on Indefinite Probation. Licensee may not petition for withdrawal of probation until the completion and resolution of his criminal charges and criminal probation. Additionally, Mr. Sander’s probation will be subject to the following terms and conditions:

- Licensee shall cause his employer to sign a copy of the Board Order and return the signed copy back to the Board within fifteen (15) days of the issue date of the Order.
- Licensee shall continue to receive treatment and follow all treatment recommendations for his mild substance use disorder and submit
- Documentation of compliance with treatment recommendations, including documentation of any recommended CEUs associated with that treatment.

- Licensee shall appear before the Board on a quarterly basis.
- Licensee shall provide written quarterly reports to the Board regarding progress with substance use disorder treatment and criminal probation.
- Licensee's practice as a Licensed Clinical Social Worker shall be supervised by another professional who is clinically licensed by the Board.
- Licensee shall cause his supervisor to submit quarterly reports to the Board regarding work performance and case load.
- Licensee shall keep the board apprised of the following information and update it as is necessary:
 - Licensee's current home address, mailing address, and residential telephone number; and
 - Licensee's place of employment, employment telephone number, and name of supervisor.
- Licensee shall comply with all statutes and rules regulating the practice of clinical social work and report any future arrests, instances of substance abuse, work discipline or terminations to the Board immediately in writing.
- Failure to comply with the terms of this order of probation may subject Licensee to an Order to Show Cause before the Board and imposition of additional terms and conditions.

Viehweg/Cooper-Bolinskey
Motion carried 7-0-0

Let the record show that Mr. Sanders agreed to the probation and the terms and conditions.

C. Reinstatement

1. Suzanne Walton, LSW, License No. 33005865A

Ms. Walton appeared as requested to discuss the reinstatement of her license that expired in 2014. She submitted a statement and proof of forty-one (41) hours of continuing education for the Board to review. She informed the Board that she would like to work in a community health center with adults.

Board Action: A motion was made and seconded to approve Ms. Walton's reinstatement application pending the completion of the jurisprudence examination.

Viehweg/Cooper- Bolinskey
Motion carried 7-0-0

D. Application

1. Kailee Feldman (LMHCA)

Ms. Feldman appeared per her request to discuss her application. Ms. Feldman had questions on the educational requirements for licensure. The Board had previously

reviewed her application and determined that she did not meet the course requirements for Appraisal and Foundations of Mental Health Counseling. The Board requested additional information on how those requirements were met in her program as the email correspondence she provided did not show clearly state how the requirements were met. The Board clarified to Ms. Feldman what they were looking for in terms of the educational requirements. Her application was tabled pending further information.

2. Christopher Martin (LMHC)

Mr. Martin appeared as requested to discuss why he did not disclose his background on his application. Mr. Martin stated that it was an oversight on his part. He clarified that he had disclosed this information on his mental health counselor associate application, and that his background was addressed at that time. Please note that the associate application was never completed by Mr. Martin and no license was ever issued. He stated that he had recently moved back to the state of Indiana from Alabama. He did not complete his post degree experience and supervision hours in Indiana. The Board advised him to read the application clearly to ensure he is answering all questions honestly. Mr. Martin is a 2010 graduate of Troy University.

Board Action: A motion was made and seconded to approve Mr. Martin's application to sit for the NBCC NCMCHE examination.

Justice/Cunningham
Motion carried 7/0/0

3. Tawana Rogers (LSW)

Ms. Rogers appeared as requested to discuss why she did not disclose her background on her application. She stated that her arrest occurred recently, and the charges were still pending. She stated that she was confused on the questions and thought the Board was asking about convictions. She stated that she did not renew her Bachelor of Social Work license as she was pursuing the Master level license. She stated that for her current charges, she must complete forty-eight (48) hours of community service, a substance abuse evaluation, a two-day victim panel, and criminal probation for six months. She stated that her employer is aware of her current charges.

Board Action: A motion was made and seconded to approve Ms. Rogers to sit for the ASWB Master exam, and should she pass, her license shall be placed on probation with the following terms:

- Indefinite Probation for no less than six months
- Copy of her Final Order signed by the Employer
- Copy of her substance abuse evaluation that was required by the courts
- Must make quarterly appearance before the Board while on probation
- Notify the Board of any relapses
- Keep the Board up to date on her employment and any changes in employment

- Have her supervisor provide quarterly reports to the Board outlining her progress.

Viehweg/Cooper-Bolinskey
Motion carried 7/0/0

4. **Chloe Sullivan (LBSW)**

Ms. Sullivan appeared as requested to discuss why she did not disclose her background on her application. She informed the Board that she thought the Board was asking about convictions, and not charges. She stated that she misread the questions, and she is currently going through the expungement process. In 2018, Ms. Sullivan was arrested for battery. She completed a pretrial diversion and charges were dismissed on August 8, 2019. She informed the Board that her intention is to work with parents who struggle with substance abuse and children who come from those households. She is a 2018 graduate of Marian University.

Board Action: A motion was made and seconded to approve Ms. Sullivan's application to sit for the ASWB Bachelor examination.

Viehweg/Cooper-Bolinskey
Motion carried 7/0/0

5. **Wilbert Wilkerson (LSW)**

Mr. Wilkerson appeared as requested to discuss why he did not disclose his background on his application. Mr. Wilkerson stated that he misread the question, and thought the Board was asking about convictions. He stated that his charge was due to his gun permit expiring, and he renewed it late. He informed the Board that the charge against him was dismissed by the court, and the incident occurred over ten (10) years ago. He stated that he would like to work in child and family therapy and is currently the owner of Willpower Mentoring. The Board asked him how his supervision is being conducted as an LSW requires a supervisor. Mr. Wilkerson stated that he has a current supervisor who he contracts with and works at Willpower Mentoring. The Board discussed the ethical concerns as his supervisor is considered his employee and advised that he obtain a different supervisor to ensure that there are not ethical concerns.

Board Action: A motion was made and seconded to approve Mr. Wilkerson's application to sit for the ASWB Master's examination.

Viehweg/Cooper-Bolinskey
Motion carried 7/0/0

6. **Eric Buchtenkirch (LMHC)**

Mr. Buchtenkirch appeared per his request to discuss his license level with the Board. Mr. Buchtenkirch stated that he originally applied for the Mental Health Associate license and was granted approval to test. He stated that the Board approved him to take the clinical level test, which he took and passed. Mr. Buchtenkirch stated to Board staff that he was aware that his notice for the exam level was incorrect and reached out to the examination service for clarification. He mentioned that he did not contact the Board staff to provide clarification if it was a clerical error. He is requesting that the Board grant him the Mental Health Counselor license as he has passed the clinical examination. Mr. Harvey, Board counsel, informed Mr. Buchtenkirch that laws require that an applicant show proof of earning clinical hours to prove competency, and that the Board does not have the leeway to grant licensure based upon only passing the clinical examination. Mr. Buchtenkirch stated that understands and that he is just requesting that the Board give his request consideration, as he has earned hours not under the Associate license. The Board expressed concerns that he might have earned hours while unlicensed. The Board stated that when he earns his hours under the Associate license, he can apply for the Mental Health Counselor license and will not be required to take the exam again. The Board stated that they must follow the statute and rules for the State, and if they granted his request, they would be setting precedent.

V. ADMINISTRATIVE HEARINGS

A. Melissa Covarrubias, L.S.W., License No. 33009809A

Cause No. 2021 BHSB 0014

Re: Administrative Complaint and Proposed Settlement Agreement

Parties Present:

Counsel of Respondent Todd Ess present

Nick Hart, Deputy Attorney General, Office of the Attorney General

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)

Stephan Viehweg, LCSW

Kelley Gardner, LMFT

Jon Ferguson, LMFT

C. Martin Justice, LMHC

Dr. Dianna Cooper-Bolinsky, LCAC

Elizabeth Cunningham, D.O.

Note the Respondent was not present

Case Summary: On or about August 18, 2021, an Administrative Complaint was filed against Ms. Covarrubias with allegations that she engaged in fraud or material deception in the course of her professional services. On or about January 31, 2022, a Proposed Settlement was reached with the following terms:

- Both parties waive their right to a public hearing in this matter, and that the Proposed Settlement will address all allegations and disciplinary action in this matter
- Ms. Covarrubias' license shall be placed on Indefinite Probation for no less than six (6) months with the following conditions:
 - Ms. Covarrubias shall keep the Board up to date with her current mailing address and contact information and notify the Board within seven (7) days of any change.
 - Ms. Covarrubias shall keep the Board up to date with her place of employment and their contact information, including her supervisor's name and contact information. She shall inform the Board within seven (7) days of any change in her employment including termination or suspension.
 - Ms. Covarrubias shall provide a copy of her Final Board Order of her discipline and limiting her practice to her social work employer. Her employer shall sign her Order and provide a copy of the signed order within seven (7) days of the receipt of the Order. Should her employment change, Ms. Covarrubias' new employer shall sign her Order and provide a copy of the signed order to the Board within seven (7) days.
 - Ms. Covarrubias shall submit quarterly supervision reports from all her employers that will cover her work performance, attendance, documentation, communication skills, disciplinary actions, and if any complaints are made against Ms. Covarrubias. If Ms. Covarrubias is not employed as a social worker, she must provide quarterly reports to the Board stating why she is not currently employed as a social worker and the nature of her current employment.
 - Ms. Covarrubias shall make at least one (1) appearance before the Board prior to requesting the withdrawal of her probation status.
 - Ms. Covarrubias shall maintain her license in active status while this Order is in place. If she fails to maintain active status, Ms. Covarrubias agrees to that any renewal application she submits shall be denied by the Board until Ms. Covarrubias agrees to continue the terms of the Settlement.
- Ms. Covarrubias must pay a \$5.00 fee to be deposited into the Health Records and Person Identifying Information Protection Trust Fund.
- Ms. Covarrubias must complete four (4) hours of continuing education in the area of ethical practice and/or billing. She shall have to provide written reflections on each course to IPLA in advance of her probationary appearance(s), along with proof of completion of her CE.

Mr. Hart stated that it was reported that Ms. Covarrubias was employed at George Junior Republic, and while employed there she billed for services that did not occur. After investigation, discrepancies in billing were discovered, and Ms. Covarrubias was

terminated from her position. Mr. Ess stated that Ms. Covarrubias has taken full responsibility for what occurred and agrees with the State's terms in the Settlement.

Board Action: A motion was made and seconded to accept the Proposed Settlement Agreement in the matter of Ms. Covarrubias.

Viehweg/Justice
Motion carried 7/0/0

B. Carmen LeVasseur, L.C.S.W., License No. 34006892A

Cause No. 2021 BHSB 0025

Re: Administrative Complaint and Proposed Settlement Agreement

Parties Present:

Respondent was present

Amanda Cassidy, Deputy Attorney General, Office of the Attorney General

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)

Stephan Viehweg, LCSW

Kelley Gardner, LMFT

Jon Ferguson, LMFT

C. Martin Justice, LMHC

Dr. Dianna Cooper-Bolinskey, LCAC

Elizabeth Cunningham, D.O.

Case Summary: On or about November 8, 2021 an Administrative Complaint was filed against Ms. LeVasseur with allegations that she failed to keep abreast of current professional practice and theory and that she continued to practice while she was found to be unfit to practice due to addiction to, abuse of or severe dependency upon alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely as evidenced by her continuing to miss work due to sickness and intoxication. On or about February 22, 2022, a Proposed Settlement Agreement was reached with the following terms:

- Both parties waive their right to a public hearing in this matter, and that the Proposed Settlement will address all allegations and disciplinary action in this matter
- Ms. LeVasseur's license shall be placed on Indefinite Probation for no less than one (1) year with the following conditions:
 - Ms. LeVasseur shall keep the Board up to date with her current mailing address and contact information and notify the Board within seven (7) days of any change.
 - Ms. LeVasseur shall keep the Board up to date with her place of employment(s) and their contact information.
 - Ms. LeVasseur shall provide a copy of her Final Board Order to her social work employer(s). Her employer(s) shall sign her Order and

provide a copy of the signed order within ten (10) days of the receipt of the Order. Should her employment change, Ms. LeVasseur's new employer shall sign her Order and provide a copy of the signed order to the Board within ten (10) days.

- Ms. LeVasseur shall submit quarterly employment reports from all her employers that will cover her work performance. If Ms. LeVasseur is not employed as a clinical social worker, she must provide quarterly reports to the Board stating why she is not currently employed as a clinical social worker and the nature of her current employment.
- Ms. LeVasseur shall hold no supervisory roles or unsupervised positions while on probation.
- Ms. LeVasseur shall attend self-help meetings at least three (3) times per week and submit quarterly reports to the Board of compliance with this condition. The reports must be signed by an individual in charge of the self-help meetings.
- Ms. LeVasseur shall make appearances before the Board every six (6) months.
- Ms. LeVasseur shall complete and submit a fitness for duty performed by an LCAC or HSPP with an addictions background. She shall abide by all recommendations made by the provider. The provider may not be an individual Ms. LeVasseur has a prior relationship with of any kind.
- Ms. LeVasseur shall complete an additional six (6) hours of continuing education in the areas of professionalism, ethics, and client obligations. She must provide proof of completion to the Board.
- Ms. LeVasseur must report any relapses, arrests, or terminations to the Board.
- Ms. LeVasseur must pay a \$5.00 fee to be deposited into the Health Records and Person Identifying Information Protection Trust Fund.
- Ms. LeVasseur shall maintain her license in active status while this Order is in place. If she fails to maintain active status, Ms. LeVasseur agrees to that any renewal application she submits shall be denied by the Board until Ms. LeVasseur agrees to continue the terms of the Settlement.

Ms. LeVasseur stated that she requests that the Board accept the Settlement, and she has remained sober since October.

Board Action: A motion was made and seconded to accept the Proposed Settlement Agreement in the matter of Ms. LeVasseur.

Viehweg/Cooper-Bolinsky
Motion carried 7/0/0

C. Michael E. Russ, L.C.S.W., License No. 33009434A

Cause No. 2021 BHSB 0031

Re: Extension of Summary Suspension and Petition For Summary Suspension

Extension

Parties Present:

Amanda Cassidy, Deputy Attorney General, Office of the Attorney General
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)
Stephan Viehweg, LCSW
Kelley Gardner, LMFT
Jon Ferguson, LMFT
C. Martin Justice, LMHC
Dr. Dianna Cooper-Bolinsky, LCAC
Elizabeth Cunningham, D.O.

Note the Respondent was not present.

Case Summary: On or about December 6, 2021, the Board Suspended Mr. Russ' license due to pending felony allegations of child molestation. Mr. Russ is currently in Grant County Jail due to the allegations. The State has attempted to contact Mr. Russ by phone, and email. The State has also reached out to his former employer for his contact information. It has been reported to the State that Mr. Russ does have a bond and could potentially bond out. The State attests that due to the pending felony charges which are not resolved, he is considered a danger to the public. The State requests an extension of his suspension as the investigation against him is still pending.

Board Action: A motion was made and seconded to suspended Mr. Russ's license an additional ninety (90) days.

Viehweg/Cooper-Bolinsky
Motion carried 7/0/0

D. Melissa Ketner, L.C.S.W., License No. 34005637A

Cause No. 2020 BHSB 0015

Re: Petition for Withdraw of Probation

Parties Present:

Respondent was present
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)
Stephan Viehweg, LCSW
Kelley Gardner, LMFT
Jon Ferguson, LMFT
C. Martin Justice, LMHC
Dr. Dianna Cooper-Bolinsky, LCAC
Elizabeth Cunningham, D.O.

Witnesses for the State:

Cindy Vaught, IPLA Board Director

Case Summary: On or about August 10, 2020, the Board voted to place Ms. Ketner on probation based upon her pending criminal charges as disclosed in her license renewal. Ms. Ketner must show she meets the following probation terms:

- Ms. Ketner shall remain in Indefinite Probation. She may petition the Board for withdrawal of her probation after her criminal charges are resolved, and she successfully completes any criminal probation or other sentence imposed.
- Ms. Ketner shall keep the Board up to date on her contact information.
- Ms. Ketner shall submit quarterly reports to the Board on the progress of her criminal case.
- Ms. Ketner shall notify the Board of any arrests or relapses.
- Ms. Ketner understands that any violation of the laws regulating the practice of clinical social work could impose further sanctions against her license.

Ms. Ketner stated that she has met all the terms of her probation. She stated that she completed the criminal probation one (1) year ago. She was required to complete community service, complete a MAD victim panel, and a substance abuse assessment. Ms. Vaught reported that the Board had received official notice of Ms. Ketner's probation completion in November 2021, and her updated contact information. Ms. Vaught stated that Ms. Ketner did provide quarterly reports and did not report any relapses. Ms. Ketner stated that she did appreciate the time the Board has taken to address her issues, and that the experience has been a growing process for her.

Board Action: A motion was made and seconded to grant Ms. Ketner's petition to withdraw probation.

Viehweg/Cooper-Bolinsky

Motion carried 7/0/0

E. Keith Wygle, L.C.S.W., License No.34005872A

Cause No. 2021 BHSB 0032

Re: Administrative Complaint and Extension of Summary Suspension

Parties Present:

Counsel Matthew Kubacki for Mr. Wygle

Amanda Cassidy, Deputy Attorney General, Office of the Attorney General

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)

Stephan Viehweg, LCSW

Kelley Gardner, LMFT

Jon Ferguson, LMFT

C. Martin Justice, LMHC

Dr. Dianna Cooper-Bolinskey, LCAC
Elizabeth Cunningham, D.O.

Note the Respondent was not present

Case Summary: On or about December 6, 2021, Mr. Wygle agreed to a Voluntary Suspension of his license due to allegations that he is a clear and present danger to the public. Counsel Kubacki stated that they are requesting an extension of Mr. Wygle's license suspension at this time, until a Settlement can be reached. The Final Hearing in this matter has been continued until the Administrative Complaint has been resolved.

Board Action: A motion was made and seconded to accept the Agreement to extend the suspension of the license in the matter of Mr. Wygle.

Viehweg/Cooper-Bolinskey
Motion carried 7/0/0

F. Samantha Habbinga, L.S.W., License No.33008889A

Cause No. 2020 BHSB 0010

Re: Petition for Withdraw of Probation

Parties Present:

Respondent was present

Carol Rowe, Deputy Attorney General Intern, Office of the Attorney General

Mary Hutchinson, Deputy Attorney General Supervisor, Office of the Attorney General

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)

Stephan Viehweg, LCSW

Kelley Gardner, LMFT

Jon Ferguson, LMFT

C. Martin Justice, LMHC

Dr. Dianna Cooper-Bolinskey, LCAC

Elizabeth Cunningham, D.O.

Witnesses for the State:

Cindy Vaught, IPLA Board Director

Case Summary: On or about November 9, 2020, a Settlement Agreement was reached in response to an Administrative Complaint filed against Ms. Habbinga with allegations that she failed to report child abuse, and two counts of her failing to keep abreast of current practices within her area of specialization. Ms. Habbinga agreed to the following terms:

- Both parties waive their right to a public hearing in this matter, and that the Proposed Settlement will address all allegations and disciplinary action in this matter

- Ms. Habbinga’s license shall be placed on Indefinite Probation for no less than one (1) year with the following conditions:
 - Ms. Habbinga shall keep the Board up to date on her contact information.
 - Ms. Habbinga shall keep the Board informed on her employer(s) and their contact information.
 - Ms. Habbinga shall be supervised by a clinical social worker who holds a current license issued by this Board, and she must meet with her supervisor at least one (1) hour each week to discuss her continuing education and case hold.
 - Ms. Habbinga must make quarterly appearance before the Board during her probation.
- Within four (4) months of the Final Order, Ms. Habbinga shall complete ten (10) hours of continuing education on the assessment of child abuse, and ten (10) additional hours of continuing education on the assessment of child abuse of the prior to requesting to come off probation. The total twenty (20) hours of continuing education shall not be counted toward the requirements to maintain licensure in the State of Indiana.
- Proof of CE and quarterly supervision reports shall be submitted to IPLA.
- Ms. Habbinga must pay a \$5.00 fee to be deposited into the Health Records and Person Identifying Information Protection Trust Fund.

Ms. Habbinga stated that she has met all terms of her probation. She informed the Board that she has maintained her employment at the IU Health Center and meets with her supervisor regularly. She attested that she has submitted her quarterly reports to the Board which included supervision logs and the topics of discussion between her and her supervisor. She stated that she provided proof of her completed CE and is building her skillset. She informed the Board that she has learned to prioritize reporting suspected abuse, and she takes more time to follow up with questions either from supervisors or colleagues. She stated that she learned more about different perspectives and other trigger markers that might not be normally there. The Board asked if she would do things differently now to protect her clients and herself. Ms. Habbinga stated she would as she has a personal checklist that she follows to ensure proper reporting and documentation. She stated that she follows up with the parents more frequently.

The State called Ms. Vaught as witness. Ms. Vaught is the keeper of records in this matter. She verified that Ms. Habbinga appeared quarterly for her appearances, and she received the quarterly reports as required. Ms. Vaught affirmed that Ms. Habbinga has provided all documentation per her probation terms.

Board Action: A motion was made and seconded to grant Ms, Habbinga’s petition for withdraw of probation.

Viehweg/Cooper- Bolinsky
 Motion carried 7/0/0

G. Margaret Heine, L.M.F.T., License No.35002100A

Cause No. 2021 BHSB 0007

Re: Petition for Reinstatement of License

Parties Present:

Respondent was present with Counsel Michael Progar

Carol Rowe, Deputy Attorney General Intern, Office of the Attorney General

Mary Hutchinson, Deputy Attorney General Supervisor, Office of the Attorney General

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)

Stephan Viehweg, LCSW

Kelley Gardner, LMFT

Jon Ferguson, LMFT

C. Martin Justice, LMHC

Dr. Dianna Cooper-Bolinsky, LCAC

Elizabeth Cunningham, D.O.

Witnesses for the State:

Cindy Vaught, IPLA Board Director

Case Summary: On or about September 8, 2021, Ms. Heine appeared before the Board whereafter her license was Suspended based upon a violation that Ms. Heine was convicted of a crime that has a direct bearing on her ability to practice competently. Ms. Heine is requesting to come off Suspension and must show proof of the following terms:

- Ms. Heine must show successful proof of completion of her criminal probation
- Ms. Heine must undergo a fitness for duty evaluation completed by an HSPP Psychologist. She shall submit a copy of the Order to the HSPP prior to the evaluation, and follow all recommendations made by the evaluation.

Ms. Heine stated that she has been in the field for years and has kept up to date with all the CE requirements for licensure. She stated that during her criminal probation she was required to check in with her probation officer and provide two drug screenings. She reported that her criminal probation is complete. She stated that she has gained new employment at Scan, Inc in November and would like her license to be reinstated so she can continue with Scan, Inc. She stated that she is currently supervised und Jenna Garcia, LMHC whom she interacts with daily. Ms. Heine attested that she attends personal counseling sessions and has learned to not give implicit trust to others. She stated that she also is learning on how to ask for help and having hard conversations. She stated that she no longer wishes to work in a prison setting again. Ms. Heine stated that she completed her alcohol assessment which gave no further recommendations.

Ms. Vaught was called as witness for the State. Ms. Vaught is the keeper of records in this matter. She reported that the Board received Ms. Heine's assessment when she requested to reinstate her license. Ms. Vaught also reported that the Board has received proof of completion of her criminal probation.

The State concluded that if the Board accepted that Ms. Heine's license to be reinstated, that the Board could impose additional probationary requirements if they feel that the issue that led to the suspension had not been addressed.

Board Action: A motion was made and seconded to reinstate Ms. Heine's license on a probation with the following conditions:

- Indefinite Probation for no less than two (2) years.
- Must make quarterly appearance before the Board while on probation
- Personal Therapist must provide quarterly reports on progress and Ms. Heine must follow any recommendations they provide
- Ms. Heine must keep the Board up to date on her contact information
- Ms. Heine must report any arrests or relapses to the Board
- Ms. Heine must provide a copy of the Final Order in this matter to her employer, who must sign a copy and provide the signed copy to the Board within ten (10) days of the issuance of the Final Order.

Viehweg/Cooper-Bolinskey
Motion carried 6/0/0 (Gardner not present)

H. Joseph Fernandez, L.C.A.C., L.C.S.W., License No.34005750A, 87001191A
Cause No. 2022 BHSB 0002
Re: Petition For Summary Suspension and Voluntary Summary Suspension Agreement

Parties Present:

Respondent was present with Counsel Erika Steuerwald
Amanda Cassidy, Deputy Attorney General, Office of the Attorney General
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)
Stephan Viehweg, LCSW
Kelley Gardner, LMFT
Jon Ferguson, LMFT
C. Martin Justice, LMHC
Dr. Dianna Cooper-Bolinskey, LCAC
Elizabeth Cunningham, D.O.

Case Summary: On or about February 23, 2022, a request to Suspend Mr. Fernandez's license was submitted due to allegations that he is a clear and present danger to the public. Mr. Fernandez agrees to the request for emergency suspension, and an Administrative Complaint will be filed against him within ninety (90) days. The Board had no questions for Mr. Fernandez or his counsel.

Board Action: A motion was made and seconded to accept the Voluntary Summary Suspension Agreement in the matter of Mr. Fernandez.

Viehweg/Gardner
Motion carried 7/0/0

VI DISCUSSION

A. Rachel Beehler, L.S.W., License No. 33009272A

Re: Approval of Employment and Supervision

Ms. Beehler's application for clinical social work indicated that she currently holds an LLC and is working at a Mental Health clinic as a contractor. The Board expressed concerns accepting the experience as there is a question of appropriate oversight. The Board stated that it appears that Ms. Beehler's LLC implies that she is employing her own supervisor and working independently. The Board stated that they must be able to see that Ms. Beehler's supervisor can make independent judgements without the ethical concerns that Ms. Beehler could terminate her if there was a dispute. The Board stated that her LLC employment looks like independent practice. Ms. Beehler has provided a copy of her liability insurance. The Board stated that they do not wish to set a precedent about accepting LLC hours as there are a lot of ethical concerns. The Board stated that individuals can get an LLC, but the Board cannot accept those hours for licensure as currently presented. The Board stated that they can accept the other hours she obtained, but they cannot accept the hours she earned as an LLC.

VII. APPLICATIONS FOR REVIEW

There were no applications for review of the Board.

VIII. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL

The Attorney General's office reported to the Board that they have 91 open complaints and they have closed 20 since the beginning of the year. The average age of the open complaints is 6 months. There are currently 26 open litigation cases with only 1 opened this year. The average duration of the litigation cases are 4.7 months.

IX. FORMAL ADOPTION OF APPLICATION REVIEWS

A motion was made and seconded to formally accept the adoption of application reviews.

Viehweg/Gardner
6-0-0 Cunningham not present.

X. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW

There are no Continuing Education Sponsor applications for review.

XI. OLD/NEW BUSINESS

The ASWB is currently creating a technical assistant group that is looking into proposing legislative language to create a social work license compact. They are currently gathering data on how a license compact would look and function.

Telehealth questions and clarifications was presented. Ms. Vaught and Board Counsel Adam Harvey stated that currently Telehealth is covered by the Governor's Executive Order, and it will end when he no longer renews it. At this time, they cannot provide any further information.

The ASWB will be holding a CE conference on April 28, 2022.

XII. ADMINISTRATORS' REPORT

There is no administrative report to discuss.

XIII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 1:45 p.m. by general consensus.

Kimble Richardson, MS, LMHC, LCSW,
LMFT, LCAC, MHC
Chair

Date